APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/911,718	07/25/2001	Noriyuki Hori	Q65524	4071

			EXAMINER
7590	11/02/2005		TAYLOR, NICHOLAS R

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Washington, DC 20037

ART UNIT	PAPER NUMBER
2141	

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/911,718	HORI, NORIYUKI
	Examiner	Art Unit
	Nicholas R. Taylor	2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>21 July 2005</u>.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1,2,4-13,15-19 and 21-35</u> is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1,2,4-13,15-19 and 21-35</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>25 July 1001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All   b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1, 2, 4-13, 15-19 and 21-35 have been examined and are rejected.

Response to Arguments

2.   Applicant's arguments filed 7/21/2005 with respect to the claims have been

considered but are moot in view of the new ground(s) of rejection.

Claim Objections

3.   Claim 18 is objected to because of the following informality: "...icons on a web

site on running on a server side". Appropriate correction is required.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 1, 2, 4-12, 15-19, 21-29, and 31-35 are rejected under 35 U.S.C. 103(a)

as being unpatentable over CollegeView.com (http://web.archive.org/web/19970116182

733/http://www.collegeview.com/, hereafter referred to as "CollegeView") and Smith et

al. (US Patent 6,473,749).

6..   As per claims 1 and 18, CollegeView teaches an electronic leaflet system comprising:

generating by a server an electronic leaflet by making contents data related to leaflets concerning a plurality of educational organizations into an electronic information through designation of various kinds of selection items set in a web site of the server; (CollegeView, page 6, sample leaflet for Acadia University, and page 5 for hyperlink selection items)

selecting from the database at least one electronic leaflet optimum for various conditions presented by a user; transmitting by the server via an internet to the user the selected electronic leaflet; presenting the selected electronic leaflet on a client terminal to the user; and (CollegeView, page 2-4 for selection, page 6 for sample leaflet generation/presentation)

automatically reproducing on the client terminal the contents contained in a sub-menu prepared in advance in the selected electronic leaflet in response to a request from the user, wherein the sub-menu promotes understanding of the contents in the selected electronic leaflet, and (CollegeView, page 2-4 for selection, page 6 for sample leaflet generation/presentation)

at least one optimum electronic leaflet is selected from electronic leaflets according to various conditions provided by the user, where the user specifies the various conditions via selecting various kinds of items related to icons on the web site of said server (CollegeView, page 2-3).

However, CollegeView fails to specifically teach organizing said generated electronic leaflet into a predetermined layered structure and storing said structured electronic leaflet in a database. CollegeView also fails to teach charging the educational organization according to volume of data at new registration or updating of contents data of an electronic leaflet conducted during the generation of the leaflet. Smith teaches a database storing layered multimedia information made available for searching and retrieval (Smith, column 2, lines 54-68 and figure 4) that further charges when content is uploaded or created (Smith, column 6, lines 46-54).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have combined CollegeView and Smith to provide the content management of Smith in the system of CollegeView, because doing so would enable a system for efficiently managing file content such as web-pages in a manner beneficial to users (Smith, column 2, lines 11-23).

7.   As per claims 2 and 19, CollegeView-Smith teaches the system further wherein said electronic leaflet relates to at least one of lecture, school for attending-school education or correspondence course of a plurality of educational organizations (CollegeView, page 1 and page 4).

8.   As per claims 4 and 21, CollegeView-Smith teaches the system further comprising:

when the user accesses the web site, checking user rights for access and when

the user is authorized to access the website, informing the web site of said server that

the client terminal of the user is allowed to access the web site of said server (Smith,

column 9, lines 10-16).

9.   As per claims 5 and 22, CollegeView-Smith teaches the system further wherein

said selection of the at least one optimum electronic leaflet further comprises:

receiving various conditions presented by the authorized user clicking an icon on

the web site to designate each kind of selection items related to the icon in question,

and (CollegeView, page 2-3)

searching said electronic leaflet data base based on the received various

conditions to select at least one electronic leaflet that most closely matched the various

conditions input by the user and present, for the user, the selected electronic leaflet on

said client terminal of the user (CollegeView, results of searches initiated from pages 2-

3).

10.   As per claims 6 and 23, CollegeView-Smith teaches the system further wherein

said selection of the at least one optimum electronic leaflet comprises:

receiving through the internet various conditions provided by the authorized user

by clicking an icon on the web site to designate each kind of selection items related to

the icon (CollegeView, page 2-3),

searching said electronic leaflet data base based on the received various conditions to select a predetermined number of electronic leaflets in a descending order of suitability for the various conditions input by the user, and presenting the selected electronic leaflets to the client terminal of the user (CollegeView, results of searches initiated from pages 2-3).

11.   As per claims 7 and 24, CollegeView-Smith teaches the system further wherein the automatic reproduction of the contents of the selected electronic leaflet in the sub-menu comprises:

when the selected electronic leaflet contains as prepared contents at least one of moving picture data, voice data, and document data, automatically reproducing the contents on the display of the client terminal of the user facilitating understanding of the contents prepared in the selected electronic leaflet (CollegeView, page 6, wherein the school information is a reproduction of the original server's leaflet page).

12.   As per claims 8 and 25, CollegeView-Smith teaches the system further wherein said at least one of moving picture data, voice data, and document data comprise data generated by editing scenes of recorded school lessons attended by students or online classes and lecture meetings held by the education organizations (CollegeView, page 4, wherein "multimedia presentations" are available for each school).

13.   As per claims 9 and 26, CollegeView-Smith teaches the system further wherein said at least one of moving picture data, voice data, and document data comprise data generated by editing previously recorded interview scenes of lecturers in charge of attendance or online classes and lecture meetings held by educations organizations (CollegeView, page 4, wherein "multimedia presentations" are available for each school).

14.   As per claims 10 and 27, CollegeView-Smith teaches the system further wherein said at least one of moving picture data, voice data, and document data comprise data generated by recording and editing interview scenes of students who previously took attended school or online classes and lecture meetings held by educational organizations (CollegeView, page 4, wherein "multimedia presentations" are available for each school).

15.   As per claims 11 and 28, CollegeView-Smith teaches the system further wherein said at least one of moving picture data, voice data, and document data comprise data generated by editing teaching materials and transcripts of lectures presented in attending-school education correspondence courses of educational organizations (CollegeView, page 4, wherein "multimedia presentations" are available for each school).

16.   As per claims 12 and 29, CollegeView-Smith teaches the system further wherein the various kinds of selection items designated by the user comprise a condition related to at least one of ability, qualification, budget, school lesson schedule and qualifying schedule for lecture in attending-school education or correspondence course of educational organizations (CollegeView, page 2-3, specifically where the Student Body Type field is a qualification).

17..   As per claim 31, CollegeView-Smith teaches the system further comprising charging the educational organization according to volume of data at new registration or updating of contents data of an electronic leaflet conducted during the generation of the leaflet (Smith, column 6, lines 46-54).

18.   As per claims 15 and 32, CollegeView-Smith teaches the system further wherein said charging the educational organization according to the volume of data at new registration or at updating of contents data of an electronic leaflet in said electronic leaflet data base (Smith, column 6, lines 46-54).

19.   As per claims 16 and 33, CollegeView-Smith teaches the system further wherein:

        when the user accesses the web site of said server, checking whether the user has a right to access the electronic leaflets, and if the user has a chargeable right to access, informing for said charging of the education organization and for said selection of the at least one optimum electronic leaflet that the user is allowed to access at least

one of chargeable moving picture data, chargeable voice data, and chargeable

document data; (Smith, column 6, lines 54-64)

for said selection of the at least one optimum electronic leaflet, receiving said

various conditions presented by the user, who is allowed to access the electronic

leaflets, where said conditions are selected by clicking the icon on the web site to

designate said each kind of selection items related to the icon, and (CollegeView,

results of searches initiated from pages 2-3)

searching said electronic leaflet data base based on the received various

conditions to select a chargeable electronic leaflet, from the chargeable electronic

leaflets accumulated in the electronic leaflet data base, that most closely matches the

various conditions inputted by the user and (CollegeView, results of searches initiated

from pages 2-3)

presenting the user with the selected electronic leaflet via said client terminal of

the user, (CollegeView, page 6) and charging the user according to conditions of access

to a chargeable electronic leaflet (Smith, column 6, lines 54-64).

20.   As per claims 17 and 34, CollegeView-Smith teaches the system further wherein

when at least one moving picture data, voice data, and document data are sent via the

internet to the user, the user is charged for the sent data (Smith, column 6, lines 54-64).

21.   As per claim 35, CollegeView-Smith teaches the system further wherein the

plurality of educational organizations comprise at least one of universities, preparatory

schools, professional schools, cultural schools and private schools for elementary/junior

high/high schools (CollegeView, page 1).

22.   Claims 13 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable

over CollegeView.com (http://web.archive.org/web/19970116182733/http://www.college

view.com/, hereafter referred to as "CollegeView") and Smith et al. (US Patent

6,473,749), further in view of Fields et al. (US Patent 6,347,943).

23.   As per claims 13 and 30, CollegeView-Smith teaches the above, yet fails to teach

the mock examination system of claims 13 and 30.

        Fields teaches a mock examination system comprising:

        clicking by the authorized user a mock examination icon enabling selection of a

mock examination for supporting self-determination of at least one of basic scholastic

ability and aptitude, required for attending-school or online classes and lecture meetings

held by educational organizations, (Fields, column 3, lines 46-59, specifically the

"assessment mechanism" used in relation to a college course)

        sending via the internet question data of the mock examination to the client

terminal of the user; receiving answer data from the user to mark the answer data;

(Fields, column 3, lines 46-59, specifically the "assessment mechanism" used in relation

to a college course, and figure 8)

        generating the various conditions, where the various conditions comprise current

ability of the user, ability required for taking an online class or a lecture meeting, a kind

of the online class or the lecture meeting recommended, and a specific name of the recommended online class or the recommended lecture meeting based on the marking result; and outputting the conditions to said automatic reproduction of the contents of the electronic leaflet (Fields, column 3, lines 46-59, specifically the "customized learning pathway" previously authored by a course content author such as a college professor, and figure 8).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have combined CollegeView-Smith and Fields to provide a mock examination method in the system of CollegeView-Smith, because doing so would allow each user to select a customized course of instruction based on assessment of each user's knowledgeability of a particular topic (Fields, column 1, lines 6-10).

Conclusion

24.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Taylor whose telephone number is (571) 272-3889. The examiner can normally be reached on Monday-Friday, 8:00am to 5:30pm, with alternating Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3718.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nicholas Taylor
Examiner
Art Unit 2141

RUPAL DHARIA
SUPERVISORY PATENT EXAMINER